

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

WHEELOCK, INC.

v

SIEMENS BUILDING TECHNOLOGIES, INC. §

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No. 2:05CV454

SCHEDULING ORDER

| STEP | ACTION | RULE | DATE DUE |
|------|---|----------------------------|----------|
| 1 | Initial Case Management Conference | Patent L.R. 2-1 FRCP 26(f) | 01/12/06 |
| 2 | Patentee serves Disclosure of Asserted Claims and Preliminary Infringement Contentions | Patent L.R. 3-1 | 03/01/06 |
| 3 | Patentee makes Document Production Accompanying Disclosure | Patent L.R. 3-2 | 03/01/06 |
| 4 | Case Management Statement | Patent L.R. 2-1 FRCP 26(f) | 01/05/06 |
| 5 | Accused Infringer serves Preliminary Invalidity Contentions | Patent L.R. 3-3 | 04/17/06 |
| 6 | Accused Infringer makes Document Production Accompanying Preliminary Invalidity Contentions | Patent L.R. 3-4 | 04/17/06 |
| 7 | All parties make Exchange of Proposed Terms and Claim Elements for Construction | Patent L.R. 4-1(a) | 05/01/06 |
| 8 | All parties meet and confer to discuss list of Proposed Terms and Claim Elements for Construction | Patent L. R. 4-1(b) | 05/12/06 |
| 9 | All parties make Exchange of Preliminary Claim Constructions and Extrinsic Evidence | Patent L. R. 4-2 | 05/22/06 |
| 10 | All parties meet and confer to discuss Preliminary Claim Constructions and Extrinsic Evidence | Patent L. R. 4-2(c) | 06/02/06 |

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| 11 | All parties jointly file Joint Claim Construction and Prehearing Statement | Patent L. R. 4-3 | 06/16/06 |
| 12 | Completion of Claim Construction Discovery | Patent L. R. 4-4 | 07/17/06 |
| 13 | Patentee files opening claim construction brief | Patent L. R. 4-5(a) | 07/31/06 |
| 14 | Accused Infringer files responsive claim construction brief | Patent L. R. 4-5(b) | 08/14/06 |
| 15 | Patentee files reply brief on claim construction | Patent L. R. 4-5(c) | 08/23/06 |
| 16 | Claim Construction Hearing | Patent L. R. 4-6 | 09/06/06 at 10:00 |
| 17 | Court's Claim Construction Ruling | | 10/02/06 |
| 18 | Patentee makes Final Infringement Contentions | Patent L. R. 3-6(a) | 11/15/06 |
| 19 | Accused Infringer serves Preliminary Unenforceability Contentions | | 04/17/06 |
| 20 | Accused Infringer makes Document Production Accompanying Preliminary Unenforceability Contentions | | 04/17/06 |
| 21 | Accused Infringer makes Final Invalidity Contentions | Patent L.R. 3-6(b) | 50 days after service by the Court of its Claim Construction Ruling |
| 22 | Accused Infringer makes disclosure relating to willfulness | Patent L.R. 3-8 | 30 days after service by the Court of its Claim Construction Ruling |
| 23 | Accused Infringer makes Final Unenforceability Contentions | | 50 days after service by the Court of its Claim Construction Ruling |
| 24 | Parties file amended pleadings | | 06/16/06 |
| 25 | Parties make final designations of all expert witnesses | | 30 days after service by the Court of its Claim Construction Ruling |
| 26 | Completion of all fact discovery, including discovery on invalidity and unenforceability | | 12/15/06 |

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| 27 | Deadline for filing dispositive motions, including motions on invalidity and unenforceability | | 12/22/06 |
| 28 | Completion of all expert discovery | | 12/15/06 |
| 29 | Patentee identifies trial witnesses | | 12/15/06 |
| 30 | Accused Infringer identifies trial witnesses | | 12/22/06 |
| 31 | Deadline for filing all <i>Daubert</i> motions | | 12/22/06 |
| 32 | Parties to file Proposed Joint Final Pretrial Order, Proposed Jury Instructions, Joint Verdict Forms and Motions in Limine. Prior to pretrial conference, parties shall confer with each other regarding the other party's Motion in Limine and shall submit to the Court in writing any objections they may have to the other party's Motion in Limine | | 02/13/07 |
| 33 | Final Pretrial Conference before Judge David Folsom | | 03/05/07 |
| 34 | Jury Selection before Judge David Folsom | | 03/06/07 |

This Schedule will not be modified except upon a showing of good cause.

SO ORDERED.

SIGNED this 3rd day of February, 2006.


 CAROLINE M. CRAVEN
 UNITED STATES MAGISTRATE JUDGE